

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE JAIME HERNANDEZ BADILLO,

Defendant.

4:15CR3028

ORDER

On August 19, 2015, the court was advised that Defendant intended to enter a plea of guilty. The plea hearing was set for October 1, 2015, and on Defendant's motion, was continued to December 2, 2015. Stating defense counsel is unavailable, and additional time is needed for investigation and plea negotiations, Defendant now moves for an additional continuance of Defendant's plea hearing. (Filing No. 20). Based on the record before the court,

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 20), is granted in part.
- 2) Defendant's change of plea hearing will be held before the undersigned magistrate judge in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, Nebraska on December 16, 2015 at 10:00 a.m.. If the plea hearing cannot be held on December 16, 2015 because the parties are still engaged in plea investigations or negotiations, the time set aside for the plea hearing will be used, instead, to set this case for trial. The defendant, defense counsel, and counsel for the government shall appear at the hearing.
- 3) For the reasons stated by counsel in Defendant's motion, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

December 1, 2015.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge